



U.S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

October 26, 2006

MEMORANDUM TO: All United States Attorneys  
All First Assistant United States Attorneys  
All Criminal Chiefs  
All Anti-Terrorism Advisory Council Coordinators

FROM: Paul J. McNulty *PM*  
Deputy Attorney General

SUBJECT: Notification, Consultation, and Approval Requirements for  
International Terrorism Matters, Domestic Terrorism Matters, and  
Weapons of Mass Destruction, Torture, War Crimes and Genocide  
Matters

Please find attached revised guidance with regard to the Department's policy on notification, consultation, and approval requirements for International Terrorism Matters (USAM § 9.2-136), Domestic Terrorism Matters (USAM § 9.2-137), and Weapons of Mass Destruction (WMD), Torture, War Crimes and Genocide Matters (USAM § 9.2-138), which will be codified in the *United States Attorneys' Manual* (USAM) at the sections indicated. This policy replaces the existing USAM § 9.2-136 regarding international terrorism (IT) matters and adds new sections on domestic terrorism (DT) and WMD, torture, war crimes, and genocide matters. It also replaces the August 3, 1995, Memorandum from Attorney General Janet Reno, regarding Domestic Terrorism Activity.

This policy also revises and places into the USAM Deputy Attorney General James B. Comey's January 13, 2005, Memorandum on Interim Guidance Concerning Terrorism Matters which established a policy on these matters on a temporary basis, subject to review after one year to determine how it worked in practice. After that trial period, surveys of and discussions with prosecutors in the United States Attorneys' Offices (USAOs) and the Criminal Division indicated that the policy was working well and did not need major revision. Additional discussion between the Attorney General's Advisory Committee, the Criminal Division, representatives of the National Security Division, and the Office of the Deputy Attorney General resulted in minor revisions of the Interim Guidance to address issues that had been identified.

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The prevention of terrorism is the first priority of the Department of Justice, and this policy is important in regulating the coordination between federal prosecutors in the field and at Main Justice in this critical and continually evolving area. WMD, torture, war crimes, and genocide matters have been relatively infrequent, and the policy regarding them may need adjustment after further experience applying it. Accordingly, I am directing that this policy be reviewed annually by the Attorney General's Advisory Committee and the National Security Division, which shall recommend to the Deputy Attorney General and the Attorney General any revisions that may be appropriate.

Attachment